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CRIME PREVENTION AND CRIMINAL JUSTICE

Report of the Third Committee

Rapporteur: Mr. Nikolai N. LEPESHKO (Belarus)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 23 September 1994, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-ninth session the item entitled "Crime prevention and criminal justice" and to allocate it to the Third Committee.

2. The Committee considered the item at its 58th, 59th, 62nd, 65th and 66th meetings, on 7, 8, 10, 13 and 15 December 1994. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.3/49/SR.58, 59, 62, 65 and 66).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on measures to combat alien-smuggling (A/49/350 and Add.1);

(b) Report of the Secretary-General on the progress made in the implementation of General Assembly resolutions 46/152, 47/91 and 48/103 (A/49/593);

(c) Report of the Secretary-General on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (A/49/712);

(d) Note by the Secretary-General transmitting the report of the World Ministerial Conference on Organized Transnational Crime (A/49/748);

(e) Letter dated 12 July 1994 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General (A/49/228-S/1994/827);

(f) Letter dated 8 August 1994 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General (A/49/307-S/1994/958);

(g) Letter dated 15 August 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General (A/49/315);

(h) Letter dated 5 September 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Australia to the United Nations addressed to the Secretary-General (A/49/381);

(i) Letter dated 15 September 1994 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General (A/49/422-S/1994/1086);

(j) Note by the Secretariat on the venue of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/C.3/49/27);

(k) Note verbale dated 9 December 1994 from the Permanent Mission of Egypt to the United Nations addressed to the Secretary-General (A/C.3/49/31).

4. At the 58th meeting, on 7 December, the Director of the Crime Prevention and Criminal Justice Branch made an introductory statement.

II. CONSIDERATION OF DRAFT PROPOSALS

A. Draft resolution A/C.3/49/L.75

5. At the 65th meeting, on 13 December, the representative of Guinea, on behalf of the States Members of the United Nations that are members of the Group of African States, introduced a draft resolution entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders" (A/C.3/49/L.75).

6. At the 66th meeting, on 14 December, a single recorded vote was requested on operative paragraphs 4 and 5 together by the representative of the United States of America.

7. Statements before the vote were made by the representatives of Côte d'Ivoire, Nigeria, Guinea, the Philippines and Cuba (see A/C.3/49/SR.66).

8. The Committee then voted in favour of retaining operative paragraphs 4 and 5 by a recorded vote of 102 to 2, with 46 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Saint Kitts and Nevis, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Andorra, Armenia, Austria, Belarus, Belgium, Bhutan, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, Turkey, Uzbekistan.

9. After the vote, the representatives of the United Kingdom of Great Britain and Northern Ireland, Algeria, the Russian Federation, Japan and Uganda made statements in explanation of vote (see A/C.3/49/SR.66).

10. The representative of Costa Rica made a statement before the adoption of the draft resolution (see A/C.3/49/SR.66).

11. The Committee adopted draft resolution A/C.3/49/L.75 without a vote (see para. 25, draft resolution I).

B. Draft resolution A/C.3/49/L.78

12. At the 65th meeting, on 13 December, the representative of Egypt, on behalf of Albania, Algeria, Austria, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Chile, China, Costa Rica, Cuba, Djibouti, the Dominican Republic, Egypt, France, Guinea-Bissau, Honduras, India, Italy, Kuwait, Lebanon, Mauritania, Morocco,

Pakistan, Poland, Qatar, Slovenia, Tunisia, Turkey and Yemen, introduced a draft resolution entitled "Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders" (A/C.3/49/L.78). Subsequently, Afghanistan, Croatia, Ecuador, Gabon, the Gambia, Ghana, Iran (Islamic Republic of), Jordan, the Libyan Arab Jamahiriya, the Marshall Islands, Nigeria, Oman, Saudi Arabia, the Sudan, Singapore and the United Arab Emirates joined in sponsoring the draft resolution.

13. At the 66th, meeting, on 17 December, Antigua and Barbuda, Armenia, Argentina, Australia, Bahamas, Barbados, Belarus, Benin, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Colombia, Côte d'Ivoire, Cyprus, El Salvador, Finland, Georgia, Guinea, Guyana, Indonesia, Iraq, Kenya, Mauritius, Mongolia, Mozambique, the Netherlands, Papua New Guinea, the Philippines, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, South Africa, Spain, Sri Lanka, Sweden, the Syrian Arab Republic, Uganda, Ukraine, the United Republic of Tanzania and Zambia also joined in sponsoring the draft resolution.

14. The representative of Egypt then orally revised the draft resolution as follows:

(a) In operative paragraph 5, the dates "24 April to 5 May 1995" were changed to "29 April to 10 May 1995" and the words "with pre-Congress consultations on 22 and 23 April 1995" were replaced by the words "including two days for pre-Congress consultations";

(b) Operative paragraph 11, which read:

> "Requests the Secretary-General to facilitate the broader participation of developing countries, within available resources and by exploring the possibility of obtaining contributions for this purpose from all sources available, including governmental, intergovernmental and relevant non-governmental donors, and to continue with the past practice of providing the necessary resources for the travel and per diem of participants from least developed countries in accordance with paragraph 13 (c) of Economic and Social Council resolution 1993/32, and of inviting twenty consultants to participate in the Ninth Congress at the expense of the United Nations, in accordance with paragraph 13 (f) of the same resolution";

was replaced by the following:

> "Requests the Secretary-General to facilitate the broader participation of developing countries by providing the necessary resources for the travel and per diem of delegations from least developed countries, in accordance with paragraph 13 (c) of Economic and Social Council resolution 1993/32, from within the limits of available resources and by exploring the possibility of obtaining contributions for this purpose from all sources available, including governmental, intergovernmental and the relevant non-governmental organization donors";

(c) A new operative paragraph was inserted between operative paragraphs 11 and 12, reading as follows:

"Requests the Secretary-General to invite twenty expert consultants to participate in the Ninth Congress at the expense of the United Nations, in accordance with paragraph 13 (f) of Economic and Social Council resolution 1993/32";

(d) Operative paragraphs 12 and 13 were renumbered as operative paragraphs 13 and 14;

(e) The former operative paragraph 14, which read:

"Requests the Secretary-General to submit to the General Assembly at its fiftieth session the report of the Ninth Congress, together with his views on the implementation of its conclusions and recommendations;"

was deleted;

(f) In the new operative paragraph 14, the word "Invites" was replaced by the word "Requests"; also in the same paragraph, the words "and to provide appropriate guidance on actions needed to give effect to them" were replaced by the words "with a view to recommending appropriate follow-up, through the Economic and Social Council, by the General Assembly at its fiftieth session";

(g) In operative paragraph 15, the words "to include in the provisional agenda of its fiftieth session the item entitled Crime prevention and criminal justice" were replaced by the words "to consider this subject at its fiftieth session".

15. The Committee then adopted draft resolution A/C.3/49/L.78, as orally revised, without a vote (see para. 25, draft resolution II).

16. After the adoption of the draft resolution, the representative of the United States of America made a statement (see A/C.3/49/SR.66).

C. Draft resolution A/C.3/49/L.79

17. At the 65th meeting, on 13 December, the representative of Austria, on behalf of Austria, the Bahamas, Finland, France, Greece, Italy, the Netherlands, Slovakia, Slovenia, Sweden, Turkey and Ukraine, introduced a draft resolution entitled "Strengthening the United Nations crime prevention and criminal justice programme, particularly its technical cooperation capacity" (A/C.3/49/L.79). Subsequently, Egypt, the Russian Federation and Tunisia joined in sponsoring the draft resolution.

18. At the 66th meeting, on 14 December, Belarus, Cambodia, Costa Rica, Gabon, Guinea-Bissau, India, Japan, Lithuania, Nigeria, Papua New Guinea, the Philippines, South Africa, Spain, the United Republic of Tanzania, Uganda and Uzbekistan also joined in sponsoring the draft resolution.

19. The representative of Austria then orally revised the draft resolution as follows:

(a) A new preambular paragraph was inserted between the first and second preambular paragraphs, reading as follows:

"Convinced of the desirability of closer coordination and cooperation among States in combating crime, including drug-related crimes such as terrorism, illicit arms trade and money laundering, and bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,";

(b) In the eighth preambular paragraph, the phrase "of the Centre for Social Development and Humanitarian Affairs" was deleted;

(c) In operative paragraph 1, the symbol "1994/15" was replaced by the symbol 1994/16";

(d) In operative paragraph 3, the words "attached to" were replaced by "of";

(e) In operative paragraph 8, after the words "prevention and criminal justice" the words "and requests the Secretary-General to ensure that their activities are regularly supported by adequate human and financial resources so as to be able to respond effectively to requests by Member States for advisory services" were deleted;

(f) In operative paragraph 9, after the words "Calls upon" the word "all" was deleted, and after the word "taking" the word "also" was inserted;

(g) In operative paragraph 10, the word "all" was deleted;

(h) In operative paragraph 13, the phrase "Welcomes the programme's participation in and contribution to the work of peace-keeping operations" was replaced by the phrase "Welcomes the contributions made by the programme in helping States upon request, including requests channelled through United Nations peace-keeping operations, in the field of crime prevention and criminal justice";

20. At the same meeting, the Committee adopted draft resolution A/C.3/49/L.79 without a vote (see para. 24, draft resolution III).

D. Draft resolution contained in document A/49/748

21. At its 66th meeting, on 14 December, the Committee had before it a draft resolution entitled "Naples Political Declaration and Global Action Plan against Organized Transnational Crime", which is contained in chapter I, section A, of the note by the Secretary-General transmitting the report of the World Ministerial Conference on Organized Transnational Crime (A/49/748).

22. At the same meeting, the Committee adopted the draft resolution contained in chapter I, section A, of document A/49/748, without a vote (see para. 25, draft resolution IV).

23. After the adoption of the draft resolution, statements were made by the representatives of India and the United Kingdom (see A/C.3/49/SR.66).

E. Draft decision

24. At its 66th meeting, on 14 December, on the proposal of the Chairman, the Committee adopted a draft decision by which the General Assembly would take note of a document considered under the item (see para. 26, draft decision).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

25. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 48/101 of 20 December 1993,

Recalling also Economic and Social Council resolution 1994/21 of 25 July 1994,

Aware of the financial difficulties that the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders continues to face as a result of the fact that many States of the African region are in the category of least developed countries and therefore lack the necessary resources with which to support the Institute,

Conscious of the efforts made thus far by the Institute in fulfilling its mandate through, inter alia, the organization of training programmes and regional seminars, as well as the provision of advisory services,

Having considered the report of the Secretary-General, 1/

1. Commends the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for the activities it has undertaken, despite its difficulties in fulfilling its mandate, as reflected in the progress

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1/ A/49/712.

report of the Secretary-General on the activities of the United Nations Interregional Crime and Justice Research Institute and other institutes; 2/

2. Expresses its appreciation to those Governments and intergovernmental bodies which have supported the Institute in the discharge of its responsibilities;

3. Appeals to Governments and intergovernmental and non-governmental organizations to provide financial and technical support to the Institute to enable it to fulfil its objectives, particularly those concerning training, technical assistance, policy guidance, research and data collection;

4. Requests the Secretary-General to ensure that the Institute is provided with adequate funds, within the overall appropriation of the programme budget and from extrabudgetary resources, and to submit proposals for any necessary additional funding of the Institute, in accordance with paragraph 32 of section II of General Assembly resolution 48/228 of 23 December 1993;

5. Also requests the Secretary-General to make proposals to provide additional resources to the Institute in the context of his proposed programme budget for the biennium 1996-1997;

6. Requests the Administrator of the United Nations Development Programme to continue providing appropriate funds for the institutional strengthening of the Institute and the implementation of its programme of work, taking into account the difficult economic and financial situation faced by many countries in the African region;

7. Requests the Secretary-General to ensure proper follow-up with all concerned on the implementation of the present resolution, and to report thereon to the General Assembly at its fiftieth session and to the Commission on Crime Prevention and Criminal Justice at its fourth session.

DRAFT RESOLUTION II

Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling the responsibility assumed by the United Nations in the field of crime prevention and criminal justice under Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Bearing in mind the goals of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect

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2/ E/CN.15/1994/10 and Corr.1, paras. 71-84.

for human rights and the promotion of the highest standards of fairness, humanity and professional conduct,

Recalling its resolution 46/152 of 18 December 1991, in the annex to which it affirmed that United Nations congresses on the prevention of crime and the treatment of offenders should be held every five years to provide a forum for the exchange of views between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines, the exchange of experiences in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice,

Recalling also its resolution 48/103 of 20 December 1993, in which it requested the Secretary-General to undertake all necessary steps to ensure the adequate organization of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in accordance with Economic and Social Council resolution 1993/32 of 27 July 1993,

Recognizing the important contribution made to the preparation for the Ninth Congress by the five regional preparatory meetings for the Congress, and the recommendations emanated therefrom, as reflected in the reports on those meetings, 3/

Welcoming the recommendations made by the Commission on Crime Prevention and Criminal Justice at its third session on the organizational and substantive preparations for the Ninth Congress, as reflected in its report, 4/ and in Economic and Social Council resolution 1994/19 of 25 July 1994,

1. Takes note with satisfaction of the report of the Secretary-General 5/ on the implementation of General Assembly resolutions 46/152, 47/91 and 48/103, and of the progress made so far in the preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

2. Approves the recommendations contained in Economic and Social Council resolution 1994/19, and requests the Secretary-General to translate them into action;

3. Takes note of the note verbale dated 1 December 1994 from the Permanent Mission of Tunisia to the United Nations Office at Vienna;

4. Accepts with gratitude the generous invitation of the Government of Egypt to act as host for the Ninth Congress, to be held at Cairo;

3/ A/CONF.169/RPM.1/Rev.1 and Corr.1, RPM.2, RPM.3 and Corr.1 and RPM.4 and 5.

4/ E/1994/31.

5/ A/49/593.

5. Decides to hold the Ninth Congress at Cairo from 29 April to 10 May 1995, including two days for pre-Congress consultations;

6. Expresses the hope that the Ninth Congress will make a major contribution to the solution of problems related to crime prevention and criminal justice;

7. Requests the Secretary-General to ensure that the substantive and organizational arrangements for the Ninth Congress are adequate for the outcome of the Congress, and to provide the required resources for that purpose, based on a statement of financial implications in response to Economic and Social Council resolution 1994/19 and to the present resolution;

8. Reiterates its invitation to Governments to participate actively in the preparations for the Ninth Congress, particularly through the submission of national position papers on different agenda items, the establishment, as appropriate, of national committees and focal points, the encouragement of contributions from the academic community and relevant scientific institutions and the participation at the Congress of national correspondents in the field of crime prevention and criminal justice;

9. Calls upon the specialized agencies, concerned United Nations bodies, regional institutes and other intergovernmental and non-governmental organizations to participate actively in the Ninth Congress and to give the necessary attention and priority to national, regional and international measures aimed at preventing crime and improving the quality of the administration of justice;

10. Decides that the theme for the Ninth Congress shall be "Less crime, more justice: security for all";

11. Requests the Secretary-General to facilitate the broader participation of developing countries by providing the necessary resources for the travel and per diem of delegations from least developed countries, in accordance with paragraph 13 (c) of Economic and Social Council resolution 1993/32, from within the limits of available resources, and by exploring the possibility of obtaining contributions for this purpose from all sources available, including governmental, intergovernmental and the relevant non-governmental organization donors;

12. Requests the Secretary-General to invite twenty expert consultants to participate in the Ninth Congress at the expense of the United Nations, in accordance with paragraph 13 (f) of Economic and Social Council resolution 1993/32;

13. Calls upon the Ninth Congress to formulate concrete recommendations for improving the effectiveness of the United Nations activities and mechanisms in the field of crime prevention and criminal justice, taking into account the recommendations made by the regional preparatory meetings and paying particular attention to the operational activities of the United Nations crime prevention and criminal justice programme;

14. Requests the Commission on Crime Prevention and Criminal Justice to give priority attention at its fourth session to the conclusions and recommendations of the Ninth Congress, with a view to recommending appropriate follow-up, through the Economic and Social Council, by the General Assembly at its fiftieth session;

15. Decides to consider this subject at its fiftieth session.

DRAFT RESOLUTION III

Strengthening the United Nations crime prevention and criminal justice programme, particularly its technical cooperation capacity

The General Assembly,

Recognizing the direct relevance of crime prevention and criminal justice to sustained development, stability, security and improved quality of life,

Convinced of the desirability of closer coordination and cooperation among States in combating crime, including drug-related crimes such as terrorism, illicit arms trade and money laundering, and bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Bearing in mind the goals of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and promotion of the highest standards of fairness, humanity and professional conduct,

Recognizing the urgent need to increase technical cooperation activities to assist countries, particularly developing countries and countries in transition, with their efforts in translating United Nations policy guidelines into practice, including training and upgrading of national capacities,

Stressing the urgent need to improve regional, interregional and international cooperation and coordination of activities aimed at combating crime in its multifaceted aspects,

Noting the continued increase in the workload of the Crime Prevention and Criminal Justice Branch, as well as the considerable obstacles to the full and effective implementation of its programme activities, resulting from the lack of appropriate institutional capacity,

Convinced that the Crime Prevention and Criminal Justice Branch can be effective only if it is provided with resources commensurate to its requirements and adequate to allow it to implement its mandates and to respond in a timely and efficient manner to the increasing requests of Member States for its services,

Recalling Economic and Social Council resolution 1986/11 of 21 May 1986, in which the Council requested the Secretary-General to look critically at the existing structure and level of management of the Crime Prevention and Criminal Justice Branch, with a view to strengthening its capacity and status commensurate to its responsibility,

Recalling also its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which the General Assembly approved the statement of principles and programme of action annexed to the resolution, in which it was recommended to the Secretary-General that an upgrading of the Crime Prevention and Criminal Justice Branch of the Secretariat into a division should be effected as soon as possible,

Recalling further its resolution 48/103 of 20 December 1993, in which it reiterated its request to the Secretary-General to strengthen the crime prevention and criminal justice programme and to upgrade, as a matter of urgency, the Crime Prevention and Criminal Justice Branch of the Secretariat to a division,

Recalling its relevant resolutions as well as the decisions of the Economic and Social Council, which accorded a high level of priority to the activities of the United Nations crime prevention and criminal justice programme and requested an appropriate share of the overall resources of the United Nations for the programme,

Concerned about the fact that, despite the repeated calls by the General Assembly and the Economic and Social Council to upgrade the Crime Prevention and Criminal Justice Branch to a division, action has not been taken to give effect to Assembly resolutions 46/152, 47/91 of 16 December 1992 and 48/103, and Council resolutions 1992/22 of 30 July 1992, 1993/31 and 1993/34 of 27 July 1993 and 1994/16 of 25 July 1994,

Taking note of the report of the Secretary-General on the progress made in the implementation of General Assembly resolutions 46/152, 47/91 and 48/103, 6/

1. Welcomes with appreciation Economic and Social Council resolution 1994/16 of 25 July 1994, entitled "Strengthening the United Nations crime prevention and criminal justice programme";

2. Reaffirms the importance of the United Nations crime prevention and criminal justice programme and the crucial role it has to play in promoting international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

6/ A/49/593.

3. Also reaffirms the priority of the United Nations crime prevention and criminal justice programme, in accordance with its resolutions 46/152, 47/91 and 48/103, and the need for an appropriate share of the existing resources of the United Nations for the programme;

4. Requests the Secretary-General, as a matter of urgency, to give effect to General Assembly resolutions 46/152, 47/91 and 48/103 and to Economic and Social Council resolutions 1992/22, 1993/31, 1993/34 and 1994/16 by providing the United Nations crime prevention and criminal justice programme with sufficient resources for the full implementation of its mandates, in conformity with the high priority attached to the programme;

5. Recognizes that operational activities and technical assistance should continue to receive priority attention among United Nations activities in crime prevention and criminal justice;

6. Requests the Secretary-General to provide adequate funds to build and maintain the institutional capacity of the United Nations crime prevention and criminal justice programme to respond to requests of Member States for assistance in the field of crime prevention and criminal justice, if necessary through the reallocation of resources;

7. Reiterates its request to the Secretary-General to upgrade the Crime Prevention and Criminal Justice Branch into a division, in accordance with resolutions 46/152, 47/91 and 48/103 and taking fully into account paragraphs 2 and 11 of Economic and Social Council resolution 1994/16;

8. Welcomes the appointment of two interregional advisers in crime prevention and criminal justice;

9. Calls upon States and funding agencies to make significant financial contributions for operational activities for crime prevention and criminal justice, and encourages all States to make voluntary contributions for that purpose to the United Nations Crime Prevention and Criminal Justice Trust Fund, taking also into account the activities required for the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime; 7/

10. Requests the Secretary-General to facilitate, as appropriate, the creation of joint initiatives and the joint formulation and implementation of technical assistance projects, benefiting developing countries and countries in transition, involving interested donor countries and funding agencies, particularly the United Nations Development Programme and the World Bank, with a view to establishing and maintaining efficient criminal justice systems as an essential component of developmental efforts;

11. Also requests the Secretary-General further to strengthen cooperation between the Crime Prevention and Criminal Justice Branch and the United Nations International Drug Control Programme;

7/ See A/49/478, chap. I.

12. Further requests the Secretary-General to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in the field of crime prevention and criminal justice, in performing its functions and to ensure the proper coordination of all relevant activities in the field, in particular with the Commission on Human Rights and the Commission on Narcotic Drugs;

13. Welcomes the contributions made by the programme in helping States upon request, including requests channelled through United Nations peace-keeping operations, in the field of crime prevention and criminal justice in accordance with Economic and Social Council resolution 1992/22, and requests the Secretary-General to continue developing basic courses on United Nations norms and guidelines in the field of crime prevention and criminal justice, which can be used, as necessary, for training peace-keeping and emergency mission personnel and, upon the request of Member States, their national counterparts, as called for in Council resolution 1993/34;

14. Requests the Secretary-General to submit a progress report on the implementation of the present resolution to the General Assembly at its fiftieth session.

DRAFT RESOLUTION IV

Naples Political Declaration and Global Action Plan against Organized Transnational Crime

The General Assembly,

Alarmed by the rapid growth and geographical extension of organized crime in its various forms, both nationally and internationally, undermining the development process, impairing the quality of life and threatening human rights and fundamental freedoms,

Recognizing that the growing threat of organized crime, with its highly destabilizing and corrupting influence on fundamental social, economic and political institutions, represents a challenge demanding increased and more effective international cooperation,

Recalling General Assembly resolutions 44/71 of 8 December 1989, 45/121 and 45/123 of 14 December 1990, 47/87 of 16 December 1992 and 48/103 of 20 December 1993 and Economic and Social Council resolutions 1992/22 and 1992/23 of 30 July 1992, 1993/29 and 1993/30 of 27 July 1993 and 1994/12 and 1994/13 of 25 July 1994,

Recalling in particular its resolution 46/152, in which it approved the statement of principles and programme of action on the creation of an effective United Nations crime prevention and criminal justice programme, contained in the annex to that resolution,

Acknowledging with appreciation the work of the World Ministerial Conference on Organized Transnational Crime, held at Naples from 21 to 23 November 1994,

Acknowledging with appreciation also the work of the International Conference on Preventing and Controlling Money Laundering and the Use of the Proceeds of Crime: A Global Approach, held at Courmayeur, Italy, from 18 to 20 June 1994, organized by the International Scientific and Professional Advisory Council of the United Nations crime prevention and criminal justice programme and the Government of Italy, under the auspices of the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna,

Noting regional initiatives in this field, such as the Conference on Drugs and Organized Crime, between the countries of the European Union and the countries of Central and Eastern Europe, as reflected in the Berlin Declaration of 8 September 1994, the fifteenth Summit of Central American Presidents, held at Guácimo, Limón, Costa Rica, from 18 to 20 August 1994, the South Asian Association for Regional Cooperation Convention on Narcotic Drugs and Psychotropic Substances, as well as the Declaration of the sixteenth plenary session of the Inter-American Drug Abuse Control Commission of the Organization of American States, held at Santiago de Chile in October 1994,

Recognizing that organized transnational crime is a major concern of all countries and that it calls for a concerted response from the international community,

Emphasizing the need for strengthened and improved international cooperation at all levels and for more effective technical cooperation to assist States in their fight against organized transnational crime,

1. Expresses its appreciation to the Government of Italy for acting as host to the World Ministerial Conference on Organized Transnational Crime;

2. Takes note with appreciation of the conclusions and recommendations of the Conference;

3. Approves the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, 8/ and urges States to implement them as a matter of urgency;

4. Requests the Secretary-General to transmit the Naples Political Declaration and Global Action Plan against Organized Transnational Crime to the Commission on Crime Prevention and Criminal Justice for appropriate action, while recommending a higher level of priority for the United Nations crime prevention and criminal justice programme within the framework of the United Nations;

5. Urges all entities of the United Nations system, including the regional commissions and the specialized agencies, and the relevant

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8/ See A/49/748, chap. I.

intergovernmental and non-governmental agencies to extend to the United Nations crime prevention and criminal justice programme their full support in fulfilling its tasks;

6. Invites Governments to contribute to the United Nations Crime Prevention and Criminal Justice Fund in order to enable the programme to respond to the most urgent needs of States in the field of the prevention and control of organized transnational crime;

7. Resolves to take decisions at its fiftieth session on the allocation of adequate resources to the Untied Nations crime prevention and criminal justice programme on the basis of proposals for the modification of the programme to be submitted by the Secretary-General, taking into account the responsibilities entrusted to the Untied Nations pursuant to the Naples Political Declaration and Global Plan of Action against Organized Transnational Crime;

8. Requests the Commission on Crime Prevention and Criminal Justice to keep the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime under regular review;

9. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

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26. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Document considered by the General Assembly in connection with the question of crime prevention and criminal justice

The General Assembly decides to take note of the report of the Secretary-General on measures to combat alien-smuggling. 9/

9/ A/49/350 and Add.1.